## IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

ROBIN FOORE	)	CASE NO:
501 Merriman Road	)	
Akron, OH 44303	)	JUDGE:
	)	
Plaintiff	)	
	)	<b>COMPLAINT</b>
vs.	)	Type: Personal Injury
	)	
BUILDING MATERIALS	)	
CORPORATION OF AMERICA	)	
dba GAF MATERIALS CORPORATION	)	
1361 Alps Road	)	
Wayne, NJ 07470	)	
•	)	
Defendant	)	
	* * *	

Now comes Plaintiff, by and through counsel, and for her claim for relief states as follows:

## PARTIES AND JURISDICTION

- 1. Plaintiff Robin Foore is at this time a resident of the State of Ohio.
- 2. Defendant Building Materials Corporation of America dba GAF Materials

  Corporation (hereinafter "Building Materials") is a corporation doing business in the State of

  Ohio, with it's principal place of business located in Wayne, New Jersey.

- 3. The subject matter jurisdiction of this Court is based upon diversity of citizenship pursuant to 28 U.S.C.S. § 1332 (1998).
- 4. Venue is proper in the Northern District of Ohio as the accident which gives rise to this Complaint took place within this district.

## **COUNT I**

- 5. Plaintiff realleges and incorporates by reference all of the allegations contained in Paragraphs 1 through 4 as if fully rewritten herein.
- 6. On or about July 17, 2010, the Plaintiff was a passenger on a motorcycle which was lawfully driving through an intersection on a green light in Akron, Ohio.
- 7. At that time, a driver on behalf of Defendant Building Materials negligently and unlawfully drove its vehicle through that intersection against the red light, striking the motorcycle, and Plaintiff Robin Foore.
- 8. Defendant's driver proceeding through the intersection on the red light occurred in front of and was directly witnessed by several independent witnesses.
- 9. As a direct and proximate result of Defendant's negligence, Plaintiff Robin Foore sustained serious and permanent injuries, including the loss of her left leg; has undergone, and continues to undergo, severe pain and suffering; has incurred substantial medical expenses, which will continue for the rest of her life; has sustained a vocational loss; and has suffered a permanent impairment in her normal, social and recreational pursuits.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount of TWO MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$2,750,000.00), together with interest, costs of this action, attorney fees, and any other and further relief this Court deems just and proper.

Case: 5:11-cv-01396-SL Doc #: 1 Filed: 07/08/11 3 of 3. PageID #: 3

Respectfully submitted

STANLEY P. ARONSON (0024836) ARONSON & ASSOCIATES 3085 W. Market Street, Suite 130 Akron, OH 44333 Telephone: (330) 836-5500

Attorney for Plaintiff